

REMARKS/ARGUMENTS

Amendments

Before this Amendment, claims 1-20 were present for examination. Claims 1, 12, 19, 20 are amended. Claims 4 and 5 are canceled, and no claims are added. Therefore, claims 1-3 and 6-20 are present for examination, and claims 1, 12, and 20 are the independent claims. No new matter is added by these amendments.

The Office Action dated September 29, 2006 ("Office Action") rejected claims 1-3, 10-15, 17, 18, and 20 under 35 U.S.C. §102(e) as being anticipated by the cited portions of Quintana, U.S. Publication 2004/0100646 ("Quintana"). The Office Action rejected claims 6-7 under 35 U.S.C. §103(a) as being unpatentable over Quintana in view of additional cited art. The Office Action rejected claims 1-11 under 35 U.S.C. §101 as directed to non-statutory subject matter. The Office Action rejected claims 4-5 under 35 U.S.C. §112, first paragraph as failing to comply with the enablement requirement. The Office Action rejected claim 19 under 35 U.S.C. §112, second paragraph. Applicant respectfully requests reconsideration of this application as amended.

35 U.S.C. §102(e)/103(a) Rejections, Quintana et al.

The Office Action rejected independent claims 1, 12, and 20 under 35 U.S.C. §102(e) as being anticipated by Quintana. For a valid anticipation rejection, the Office must show that each limitation from the claims appears in a single piece of prior art. Applicants, however, believe that significant limitations from the independent claims are not taught or suggested by Quintana.

Specifically, Quintana cannot be relied upon to teach or suggest 1) "selecting one of the first color and the second color as a final pixel color," as recited in claim 1, or 2) "outputting the selected final pixel color for display on a display device," as recited in claim 1. Similar limitations are found in independent claims 12 and 20.

1. First Color and Second Color: As noted, the claims provide for selecting between a "first color" and "second color" for output to a display. But in Quintana, there is no selection between a first color and a second color. Instead, the method disclosed in Quintana "determines whether an output pixel for a color component of an image pixel should be output (102)" (Quintana, ¶14).

In Quintana, an "output pixel is binary, having **on and off states**. That an output pixel has been output means that the on state of the output pixel has been output, such as corresponding to the ejection of ink or other fluid by the image-forming device, or such as the exposure of a region on a photoconductor corresponding to the output pixel by a laser in the image-forming device. That an **output pixel has not been output means** that the output pixel has the **off state**" (emphasis added, Quintana, ¶15-17).

The Office Action indirectly notes this distinction, stating that "an 'on' pixel is output when the error exceeds a certain value, otherwise the pixel is not turned on" (Office Action, p. 4, ll. 10-11). Thus, in Quintana, the determination involves whether to output an output pixel, **or not**. A decision *not to output* a color for a pixel differs from a decision to select a second color for an image pixel.

In Quintana, there is no selection between a first color and a second color. Instead, the "error adjustment factor is utilized to determine whether an output pixel should be output for a color component of an image pixel." Quintana involves the determination of whether to output a given color or to output nothing to a printer. This is different than a selection between two colors, and an output of the selected color.

2. Outputting for Display: The amended independent claims also recite outputting the selected final pixel color for display on a display device. In Quintana, the "output pixel" is distinguished from the "image pixel." The output pixel of Quintana controls the output of an image forming device, such as an inkjet-printing or laser-printing mechanism. Specifically, the "output pixel mechanism 504 outputs the output pixels by utilizing the image-forming mechanism 506, which **actually forms images on media**" (emphasis added, Quintana, ¶38).

Outputting an output pixel to actually form an image on physical media differs from outputting a selected pixel color for display on a display device. The binary, on/off, functionality of a printer differs from the selection between colors for display on a display device

Applicants respectfully submit that the specified limitations in independent claims 1, 12 and 20 are allowable for at least the foregoing reasons. Claims 2-11 and 13-19 each depend from these independent claims, and are believed allowable for at least the same reasons as given above. Applicants, therefore, respectfully request that the §102(b) and §103(a) rejections to these claims be withdrawn.

35 U.S.C. §101

The Office Action rejected claims 1-11 under 35 U.S.C. §101. Claim 1 is amended to address the rejection. Claims 2-11 each depend from independent claim 1, and are believed allowable for at least the same reasons. Applicants respectfully request that the 35 U.S.C. §101 rejection be withdrawn.

35 U.S.C. §112

The Office Action rejected claims 4 and 5 under 35 U.S.C. §112, first paragraph. Claims 4 and 5 are canceled to address the rejection. The Office Action rejected claim 19 under 35 U.S.C. §112, second paragraph. Claim 19 is amended to address the rejection. Applicants, therefore, respectfully request that the 35 U.S.C. §112 rejections be withdrawn.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Appl. No. 10/796,695
Amdt. dated February 28, 2007
Reply to Office Action of September 29, 2006

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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